

OLC 78-1873
23 May 1978

Pro/Leg

MEMORANDUM FOR: See Distribution

FROM:

[Redacted]
Assistant Legislative Counsel

SUBJECT:

Counternarcotics Provision in S. 3075, the
"International Security Assistance Act of 1978"

1. Attached is a copy of section 3 of the Senate version of the "International Security Assistance Act of 1978" (S. 3075). The bill is awaiting Senate floor action.

2. Section 3 concerns counternarcotics activities abroad. We had seen an earlier version of this section; but, as you can see from the attached copy of the section and the explanatory report language, the scope of the provision has been narrowed considerably from the earlier proposal, and does not now appear to pose problems for us. Insofar as the section would now apply to U.S. Government officers or employees (as opposed to the first sentence, which is limited to DEA agents or employees), it would provide only that: "[N]o officer or employee of the United States may interrogate or be present during the interrogation of any United States person without the written consent of such person arrested in any foreign country with respect to narcotics control efforts." Note that the two sentences in section 3 are to replace the current provision of law on this point (see p. 38 of the report; copy attached).

3. Please advise if in the view of your office the language of section 3 of S. 3075 presents problems for the DCI or the CIA. A response is needed as soon as possible. Thank you.

[Redacted]
Assistant Legislative Counsel

Attachment

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